

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

UNITED STATES OF AMERICA,

v.

MOHAMMED AZHARUDDIN CHHIPA,

*Defendant.*

Case No.: 1:23-cr-97 (DJN)

**DEFENDANT'S NOTICE  
REGARDING JUDICIAL CONFLICT**

The defendant, Mohammed Azharuddin Chhipa, by and through undersigned counsel, submits this response to the Court's Order regarding whether the Hon. David J. Novak's previous service as Chief of the Criminal Division of the U.S. Attorney's Office for the Eastern District of Virginia presents a conflict requiring recusal in this case. *See* Dkt. 91, 94.

Given the representations made by the United States, namely that "the [prosecuting] attorneys, having reviewed the case file, are not aware of any action taken by the USAO-EDVA on this case during the 2009- 2011 time period. There is also no indication that the Hon. Judge Novak took any supervisory action with respect to this case[.] Dkt. 92, pg. 2, the defendant sees no judicial conflict at this time that would require recusal.

As such, at this time, the defendant is not seeking the recusal of the Hon. David J. Novak. However, the defendant reserves the right to readdress this issue if, at a later date, material facts are discovered that contradict the representations made by the United States.

Respectfully Submitted,

MOHAMMED AZHARUDDIN CHHIPA,  
By Counsel

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/s/  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 23th day of January 2024, I filed the foregoing pleading through the ECF system, which shall then send an electronic copy of this pleading to all parties in this action.

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/s/  
Zachary A. Deubler, Esq.